

SEP 11 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : James JAQUITH et al.
FOR : NEUROPROTECTIVE BENZO[1,3]OXATHOL-2-ONES
FILED : July 29, 2004
SERIAL NO. : 10/564,941
GROUP ART UNIT : 1626
CUSTOMER NO. : 49580
ATTORNEY DOCKET NO. : 129-PCT-US

Montreal, Quebec, Canada
September 11, 2006

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTIFICATION OF INSUFFICIENT FEES AND
PETITION TO CORRECT FILING RECEIPT

Sir,

The present is in response to the Notification of Insufficient fees (copy enclosed) dated July 11, 2006.

The U.S. Patent and Trademark Office is hereby authorized to charge the missing amount of \$25.00 for the required additional claim fee to our Deposit Account no. 501644

Also, the total of claims as it appears on the filing receipt is incorrect. The total of claims filed are **22** and not 20 as it appears on the filing receipt.

59/13/2006 GFREY1 00000134 501644 10564941
1 FC:26:15 25.00 DA

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Furthermore, Applicant notes that the filing receipt states the Power of Attorney as none. Applicant therefore hereby re-submits, for registration, four (4) Power of Attorneys signed by the applicants.

Applicant also hereby requests that the names of the applicants as shown on the filing receipt be corrected to reflect the inventorship of the priority case no. PCT/CA2004/001421, namely the name of the inventors should be James JAQUITH; Gerald VILLENEUVE; Patrick BUREAU and Alain BOUDREAU.

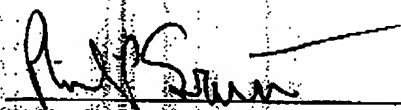
Finally the title of the application should be **NEUROPROTECTIVE BENZO[1,3]OXATHOL-2-ONES** and not "Neuroprotective benzo 1 3 oxathiol 2 ones" as it appears on the filing receipt.

Applicant respectfully requests that the updated filing receipt reflect the corrections as mentioned above.

If any extension of time is necessary, the United States Patent and Trademark Office is hereby petitioned for such an extension and may charge any necessary fees to our Deposit Account no. 501644.

If any further fee, whatsoever, with respect to the present application is due, the United States Patent and Trademark Office is in any event hereby authorized to charge such further amount to our Deposit Account no. 501644.

Respectfully submitted:



Philip A. Swain, Ph.D.

Reg. No. 55,978

Gowling Lafleur Henderson LLP

1 Place Ville Marie, 37th Floor

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Fax : (514) 878-1450

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Encl. Copy of notification

Power of attorney (4 pages)

Copy of filing receipt with correction outlined

IAP7 Rec'd PCT/PTO 11 SEP 2006

Gowling Lafleur-Henderson LLP | Barristers & Solicitors | Patents & Trade Mark Agents |

GOWLINGS**RECEIVED
CENTRAL FAX CENTER****SEP 11 2006**1 Place Ville Marie
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Tel 514 878-9641
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To: Notification of insufficient fees

Company: USPTO

Fax Number: 571-273-8300

Telephone Number:

From: Philip Swain

Telephone Number: 514-392-9562

Date: September 11, 2006

Re: U.S. Application no. 10/564,941

Total Pages: 12 (including cover)

File Number: 129-PCT-US

CopyTrak #: 8874

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FOR: NEUROPROTECTIVE BENZO[1,3]OXATHIOL-2-ONES
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**NOTIFICATION OF INSUFFICIENT FEES AND
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PAGE 1 OF 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22304-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	AGENCY DOCKET NO.
10/564,941	James B. Jaquith	129-PCT-US
		INTERNATIONAL APPLICATION NO.
		PCT/CA04/00421
		LA FILING DATE
		07/29/2004
		PRIORITY DATE
		07/29/2003

Phillip A. Swain, Ph.D.
c/o Aegera Therapeutics
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Nun's Island, QC H3E 1A8
CANADA

CONFIRMATION NO. 4041
371 FORMALITIES LETTER
OC000000018541735

Date Mailed: 07/11/2006

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/18/2006
- Copy of the International Search Report filed on 01/18/2006
- Preliminary Amendments filed on 01/18/2006
- Information Disclosure Statements filed on 01/18/2006
- Oath or Declaration filed on 01/18/2006
- Request for Immediate Examination filed on 01/18/2006
- U.S. Basic National Fees filed on 01/18/2006
- Priority Documents filed on 01/18/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$25 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$25 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 25
 - \$25 for 5 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

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DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice MUST be returned with the response.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	FILED DOCKET NO.
10/564,941	PCT/CA04/01421	129-PCT-US

FORM PCT/DO/EO/923 (371 Formalities Notice)